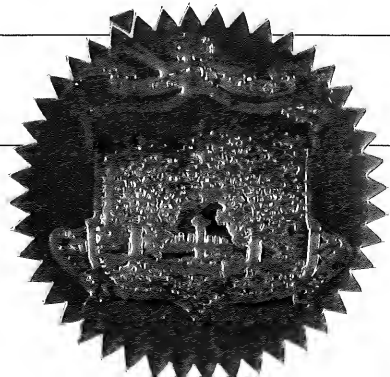


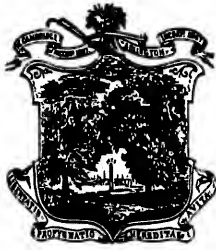
Date of Filing December 1, 2016

Members  
Approved

Opposed

Stephanie L. Lucarelli  
Town Clerk's Certification





## **TOWN OF ARLINGTON**

MASSACHUSETTS 02476

781 - 316 - 3090

### **DEPARTMENT OF PLANNING and COMMUNITY DEVELOPMENT**

#### **DECISION OF THE BOARD**

EDR DOCKET # 3520

117 Broadway

Housing Corporation of Arlington

November 21, 2016

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This Decision applies to the Special Permit application filed by Housing Corporation of Arlington to develop a mixed use property at 117 Broadway, containing 14 units of affordable rental housing and 5,089 square feet of commercial space on the first floor. Mixed-use is allowed by Special Permit in the B4 district according to Section 5.04, Table of Use Regulations, of the Arlington Zoning Bylaw.

The application requested a reduction in the required parking from 28 spaces to 17. A reduction to twenty-five (25%) percent of the required parking is allowed by Special Permit under section 8.01(a). Additional FAR of 20% is allowed under Section 6.12 for "Low or moderate income housing".

A public hearing was held November 21, 2016. The public hearing notice appeared in the Arlington Advocate on October 20 and October 27, 2016.

#### **Materials submitted for consideration of this application:**

- Application for Special Permit in Accordance with Environmental Design Review, dated 10-13-2016.
- Impact Statement, 117 Broadway, Arlington, MA.
- Memo to Arlington Redevelopment Board from Jennifer Raitt, Secretary Ex Officio, EDR Docket #3520, 117 Broadway, dated November 7, 2016.
- Memo to Jennifer Raitt and Redevelopment Board members from Laura Wiener, Assistant Director of Planning Re. Additional information and clarifications for 117 Broadway and 19Rear Park Ave., dated November 7, 2016
- HCA's Transportation Demand Management Plan for Downing Square and 117 Broadway, submitted 11/17/2016.
- LEED 2009 for Neighborhood Development, 117 Broadway, 11/2/2016.
- Plans, 117 Broadway, Arlington, MA, Owner: Pam Hallett, Housing Corporation of Arlington, Architect: Davis Square Architects, dated November 21, 2016.
- Planting Plan, 117 Broadway, dated 11-11-16

In order to grant this Special Permit, the following criteria must be met.

**Section 10.11a-1** The uses requested are listed in the Table of Use Regulations as a Special Permit in the district for which application is made or is so designated elsewhere in this Bylaw. Mixed-Use is listed in the Table of Use Regulations (7.13) as an allowed use by Special Permit in the B4 zone. The Board finds that the proposal meets this standard.

**Section 10.11a-2** The requested use is essential or desirable to the public convenience or welfare.

The proposed structure will be an important anchor in the revitalization of Broadway, and the first mixed-use structure proposed under the new regulations. Mixed-use development can add residents and customers, and the retail on the ground floor will bring life to the street on Broadway. Mixed-use development responds to strong community feeling that people want to preserve and revitalize the business districts and upgrade commercial properties. In addition, there is significant demand for all types of affordable housing in Arlington. HCA will bring 14 units of varying sizes for rent to households at or below 60% of the area median income. The requested use is desirable to the public welfare.

**Section 10.11a-3** The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

The Applicant has applied for a reduction in the parking requirement, which will result in fewer cars entering Broadway traffic. Under existing regulations, the parking requirement would be seventeen (17) for the retail space (1:300 sf) and twenty-one (21) for the residential units, for a total of thirty-eight (38) parking spaces, which would take up most of the lot area. The 45% reduction in parking will decrease traffic caused by the development, and will also trigger the requirement that the owner use Transportation Demand Management. The Board finds that this standard is met.

**Section 10.11a-4** The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.

The area is adequately supplied with water and sewer systems. Drainage will need to be reviewed by the Town Engineer, but does not appear to be a problem in the area. The Board finds this standard is met.

**Section 10.11a-5** Any special regulations for the use, set forth in Article 11 are fulfilled.

**EDR-1 Preservation of Landscape:** The landscape shall be preserved in its natural state insofar as practicable, by minimizing tree and soil removal and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

There is currently no landscaping on the existing site, although there is a green, overgrown buffer at the back of the lot where it abuts Town-owned Thompson School and North Union Playground. A planting plan was submitted to the Board for review. A final landscaping plan will be reviewed by the Board prior to issuance of a Building Permit. The Board finds this standard is met.

**EDR-2 Relation of the Building to the Environment:** Proposed development shall be related harmoniously to the terrain and to the use, scale and architecture of the existing buildings in the

vicinity that have functional or visible relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on the abutting property in an R-1 or R-2 district or on public open space.

The scale and massing of this proposal are in keeping with what the Master Plan envisioned for this area along Broadway. Master Plan Recommendation #8 is to “promote development of higher value mixed-use building...on...Broadway”(p.43). Many of the lots in the area have small buildings and large parking lots which encourage vehicle traffic and discourage pedestrian activity. This site abuts a Town-owned playing field on Everett Street, and an underutilized and deteriorated commercial lot on Broadway. This building could encourage similar redevelopment on Broadway. The Board finds that the proposal meets this standard.

**EDR-3 Open Space:** All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing by the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility and facilitate maintenance.

There is not a lot of open space on the lot, and none is required. The open space in front of the retail area along Broadway could become useable open space if any of the retail tenants choose to have sidewalk seating. The Board finds that the proposal meets this standard.

**EDR-4 Circulation:** With respect to vehicular and pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 8.13 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.

Parking for the building will be accessed from a single driveway on Everett Street. Seventeen (17) spaces are provided in the rear of the lot. Bicycle parking is provided. The property is located on the #87 MBTA bus line and walking distance to the numerous buses with routes along Mass. Ave. The building is designed to minimize vehicle use. The existing sidewalk is deteriorated and will be improved as part of this development. The Board finds that the proposal meets this standard.

**EDR-5 Surface Water Drainage:** Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and stormwater treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catchbasins. Stormwater should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected in intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved areas.

In accordance with Section 10.11,b, the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all storm water facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do.

The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for any future maintenance needs.

The property will provide an underground drainage system. Drainage plan still needs to be reviewed and approved by the Town Engineer. The Board finds that the proposal can meet this standard.

**EDR-6 Utilities Service:** Electric, telephone, cable, TV, and other such lines of equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.

The utilities will be underground. The property will hook into the Town's sanitary sewage and solid waste disposal systems. The Board finds that the proposal meets this standard.

**EDR-7 Advertising Features:** The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties.

Signage for the retail uses will be reviewed and approved by the Board as needed. The Board finds that the proposal meets this standard.

**EDR-8 Special Features:** Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

Trash and recycling storage will be located inside of the 117 Broadway building. There are no accessory structures on the site. A Lighting Plan will be reviewed and approved by the Board prior to issuance of a Building Permit. The Board finds that the proposal meets this standard.

**EDR-9 Safety:** With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.

The building location on a corner will make it easily accessible for fire, police, and other emergency personnel and equipment. There are two entrances to the residential area, and up to five entrances for the commercial spaces. The sidewalk area in front of the retail space could become public open space if any of the retail tenants choose to have outdoor seating. The Board finds that the proposal meets this standard.

**EDR-10 Heritage:** With respect to Arlington's heritage, removal or disruption of historic, traditional, or significant uses, structures or architectural elements shall be minimized insofar as practical whether these exist on the site or on adjacent properties.

The existing structure and lot are in deteriorated condition and are not now contributing to the architectural or historic integrity of the Broadway area. The existing building and property are not located on any local or state historic property listing. The proposed new building will be an improvement to the area. The Board finds that the proposal meets this standard.

**EDR-11 Microclimate:** With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard surface, ground coverage or the installation of machinery which emits heat, vapor or fumes shall endeavor to minimize insofar as practicable, any adverse impacts on light, air and water resources or on noise and temperature levels of the immediate environment.

The proposed development will have an increase in lot coverage over the existing structure. However, the property abuts open space to the north, along Everett Street. It is not anticipated that the new development will increase temperature levels in the immediate environment. The Board may wish to request the developer to plant some street trees along the property, to diminish the any heat island effect. Two new street trees will be planted along Broadway. The Board finds that the proposal meets this standard.

**EDR-12 Sustainable Building and Site Design:** Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project.

The new building will include high-efficiency energy improvements, both appliances and heating systems. It is located close to existing infrastructure, near public transit, and will redevelop an existing site. It meets many LEED criteria, scoring 106 points out of 110, which would qualify for LEED Platinum. The Board finds this standard is met.

**Section 10.11a-6** The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.

Mixed-use and affordable housing are both desired uses for the Town and in particular, for the Broadway corridor. It will improve the character of the corridor, and may spur future new development, commerce, and street life. The new retail spaces may also provide services for the surrounding residents. The Board finds that the proposal meets the criterion.

**Section 10.11a-7** The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.

This structure will be the first mixed-use development in the area. The affordable housing is much needed; the fourteen (14) units are designed well and the density will not be detrimental to the neighborhood. The Board finds that the proposal meets this criterion.

## **General Conditions**

1. The final plans and specifications for the site, including all buildings, signs, exterior lighting, landscaping, bike parking locations and type of rack, and sidewalk materials and dimensions shall be subject to the approval of the Arlington Redevelopment Board prior to issuance of a Building Permit. The Board shall review and approve samples of exterior materials. Final plans and specifications shall include complete information concerning colors, materials, lighting and other features that comprise the details of the final design.
2. The Applicant shall provide a statement from the Town Engineer that all proposed utility services have adequate capacity to serve the development, and that proposed site drainage is adequate.
3. The Board maintains continuing jurisdiction over this permit and may, after a duly advertised public hearing, attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare.
4. Snow removal from all parts of the site, including abutting sidewalks, shall be the responsibility of the owner and shall be accomplished in accordance with Town Bylaws.
5. All exterior trash and storage areas on the property shall be properly screened and maintained in accordance with Article 30 of the Town Bylaws.
6. Trash and Recycling shall be picked up only on weekdays and only between the hours of 7:00 AM and 6:00 PM, Monday through Friday.
7. No final or permanent Certificate of Occupancy shall be issued until the project is completed in its final form and all conditions within this permit have been met.
8. Upon the issuance of the Building Permit, the Applicant shall file with the Building Inspector and the Department of Community Safety the names and telephone numbers of contact personnel who may be reached 24 hours each day during the construction period.

## **Special Conditions**

1. Upon installation of landscaping materials and other site improvements, the Applicant shall remain responsible for such materials and shall replace and repair as necessary to remain in compliance with the approved site plan.
2. All utility work off site in public rights-of-way of the Town of Arlington shall be undertaken in accordance with the provisions of the Town Bylaws.
3. The Applicant shall show evidence of an agreement with Zipcar or provide an alternative TDM method prior to issuance of a final Certificate of Occupancy.

4. The Applicant shall continuously abide by the Transportation Demand Management (TDM) Plan dated November 17, 2016, in keeping with Section 8.01(a)(3) of the Zoning Bylaw. Applicant shall conduct a survey of residents and commercial employees six (6) months after the date of the Final Certificate of Occupancy, in order to determine a baseline mode split for the project (percentage of resident households and commercial employees using cars, bikes, transit or walking as their primary mode). The survey, which shall be provided to the Director of Planning and Community Development (hereinafter "the Director"), shall include questions to determine if additional resident households or employees could be using alternatives modes, and impediments to increasing non-vehicle travel to the site. One year from the date of the first report and annually thereafter, a similar report based on survey data shall be delivered to the Director. If vehicle usage is increased from the baseline report to an extent requiring reconsideration, owner shall work with the Director to reduce vehicle usage. Report to the Director shall include survey results, and the following additional information:
  - a. Number of households with one or more cars parked on the site.
  - b. Number of households with bikes on the site.
  - c. Incentives provided to resident households and/or commercial employees by the Applicant, and actual usage of incentives (i.e. how many bicycles are usually parked on-site, how many transit passes are purchased, and how much subsidy is provided)
  - d. If subsidies are being provided to resident households, how many and of what type.
5. TDM plan shall include provision that commercial leases require commercial tenants to provide incentives for reduced employee car use.
6. TDM plan shall include in Section 5. bicycle parking for retail customers.